IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 12543 of 2002

For Approval and Signature:

Hon'ble MR.JUSTICE KUNDAN SINGH

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

ASHOKKUMAR NATHUBHAI PATEL

Versus

REGIONAL PASSPORT OFFICER

Appearance:

MR BA SURTI for the Petitioner.

MR UI VYAS for the Respondent.

CORAM : MR.JUSTICE KUNDAN SINGH

Date of decision: 13/01/2003

ORAL JUDGEMENT

Rule. Learned counsel Mr. Vyas waives service of Rule on behalf of the respondent.

2. This petition has been filed for rectification of the date of birth of the petitioner as 19.8.1962 in place of 20.8.1962. It is stated that the petitioner submitted documents alongwith the application pointing out that the real birth date of the petitioner is 19.8.1962 nd not 20.8.1962, but the authority asked for the order of the competent Court saying that it has no authority to do so once passport is issued.

3. In the facts and circumstances, it appears that the date of birth of the petitioner has been wrongly mentioned in the passport issued to the petitioner and due to inadvertance, the mistake has been committed in mentioning the date of birth as 20.8.1962 in place of 19.8.1962. The learned counsel for the petitioner pointed out the application form wherein the date of birth has been mentioned as 19.8.1962. Even then the authority has mentioned the date of birth as 20.8.1962 in the passport. It appears that due to some inadvertance, wrong date of birth has been mentioned in the passport of the petitioner. Considering the facts and circumstances of the case, the petitioner is directed to make a representation to the respondent authority to correct the date of birth in the passport and the respondent authority shall decide the same in accordance with law, within a period of two weeks from the date of receipt of the application from the petitioner. The respondent authority will be entitled to impose appropriate costs on the petitioner. This petition stands disposed of. Rule is made absolute accordingly to the aforesaid extent with no order as to costs. Direct service is permitted.

(Kundan Singh,J)

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